

REMARKS

Claims 1-9 and 25-27 and pending in the application. The present response is in earnest effort to explain that the Examiner should find all claims allowable.

EXAMINER INTERVIEW

The undersigned attorney thanks the Examiner for the courtesy extended in the telephonic interview of November 13, 2002.

ISSUES UNDER 35 U.S.C. § 103

Claims 1-9 and 25-27 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U. S. Patent No. 6,094,197 to Buxton et al. In addition, claims 3, 5 and 6 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Buxton in view of Freedman (The Computer Desktop Encyclopedia).

Buxton discloses a system and method for a graphical keyboard that responds to different kinds of pen strokes (Abstract). Claim 1 requires the limitation of "invoking an input area, including a plurality of data input fields and a graphical keyboard **incapable of user termination independent of termination of the input area**, the graphical keyboard having a plurality of keys on the display."

Because the graphical keyboard of claim 1 is "independent of user termination independent of termination of the input area", a user cannot accidentally remove, minimize, maximize, delete, close or resize the graphical keyboard (Specification, page 5, last line to page 6, line 1). The graphical keyboard is always present with the "plurality of data input fields" of claim 1. Thus, where input is required for the data input fields, the graphical keyboard is always present as the user cannot accidentally terminate the graphical keyboard. This advantage of the present invention is neither disclosed nor taught or suggested in Buxton.

Column 17, lines 10-15 of Buxton disclose: "In still other embodiments, stenciled keyboard image 25 can be applied to a dedicated portion of an input-sensing display screen or can be applied to a suitably constructed membrane input sensor." In this embodiment of Buxton, the "keyboard image 25 can be stenciled, glued, or otherwise affixed onto a writing surface in addition to or in lieu of being displayed on an electronic display screen." (Column 16, lines 57-60). Such a physical structure would be fixed. However, in that embodiment of Buxton, because the keyboard would be a physical structure and not implemented in software, the limitation of "invoking an input area, including a plurality of data input fields and a graphical keyboard" would not be disclosed nor taught, as the graphical keyboard would not be invoked. As claims 2-9 depend from claim 1, the Examiner should also find these claims allowable.

Similarly, Claim 25 is neither disclosed nor taught in the Buxton reference. In particular, claim 25 requires "displaying the graphical keyboard on a touch screen display to receive input from a user, the graphical keyboard placed in a set position; persistently maintaining the graphical keyboard on a touch screen display such that the user cannot move, resize, remove, or close the graphical keyboard through the user interface." The fixed keyboard of Buxton column 16, line 57-column 17, line 14 simply does not disclose this limitation because it is not directed towards "displaying the graphical keyboard on a touch screen display." In addition, claim 25 requires the step of "removing the graphical keyboard." **The advantage of the graphical keyboard of claim 25 is that the computer displays a graphical keyboard to receive input from a user when input is needed and removes the graphical keyboard when input is no longer needed.** The user has no ability to move, resize, remove, or close the graphical keyboard through the user interface and therefore cannot accidentally remove the graphical keyboard when it is needed. There simply is no disclosure teaching or suggestion in Buxton.

Claim 26 requires "displaying the graphical keyboard on the touch screen display such that the user cannot move, resize, remove or close the graphical keyboard through the user interface until the associated data input fields have been completed or display of the data fields has been cancelled." Claim 26 is not disclosed, taught, or suggested by Buxton for the same reasons previously presented with respect to claim 1.

Further, Buxton actually teaches away from the present invention. It is readily apparent that Buxton is directed towards a user interface for a very sophisticated user. In particular, Buxton is directed towards a graphical keyboard that responds differently to different kinds of pen strokes (Abstract). As such, Buxton is appropriate for users who cannot only use a graphical keyboard but must also learn to use the proper strokes in order to operate the interface. Thus, Buxton provides a graphical keyboard that gives a user more flexibility in entering data and requires additional knowledge and/or skill of the user. Thus, Buxton moves in a direction opposite of the present invention. The Applicant's claimed invention is directed towards a graphical keyboard that is present only when needed (such as in conjunction with data input fields) and a graphical keyboard that does not allow a user to terminate the graphical keyboard or move, resize, remove, or close the graphical keyboard through the user interface. This provides the advantage that when data input is required such that the graphical keyboard should be used to enter the data, the user cannot remove the graphical keyboard. Thus, the Applicant's claimed invention is directed towards a different type of use than Buxton as the Applicant's claimed invention removes the burden on the novice computer user and Buxton provides additional flexibility that actually increases the burden on a user because the user must know the proper strokes to use. Thus, Buxton not only is directed towards solving a different problem, but is

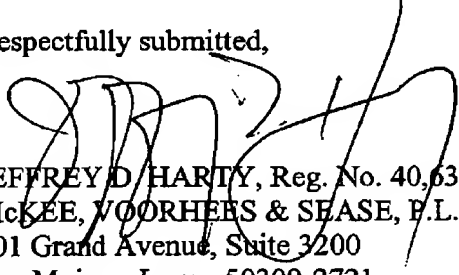
directed towards a different type of user, and teaches away from the Applicant's claimed invention.

SUMMARY

Based upon the foregoing, the Applicant respectfully submits that all pending claims are in condition for immediate allowance, as they are patentably distinguishable over the prior art. Please charge Deposit Account No. 26-0084 for the one-month extension of time in the amount of \$55.00. No other fees or extensions of time are believed to be due in connection with this amendment; however, consider this a request for any extension inadvertently omitted, and charge any additional fees to Deposit Account No. 26-0084.

Reconsideration and allowance is respectfully requested. Also, the Examiner is cordially invited to contact the undersigned attorney in an effort to reach mutual agreement as to claim limitation and allowability if the Examiner does not find all claims in proper form for immediate allowance.

Respectfully submitted,



JEFFREY D. HARTY, Reg. No. 40,639
MCKEE, VOORHEES & SEASE, P.L.C.
801 Grand Avenue, Suite 3200
Des Moines, Iowa 50309-2721
Phone No. (515) 288-3667
Fax No. (515) 288-1338
CUSTOMER NO: 22885

Attorneys of Record

-bj -